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July 8, 2019

The Honorable Lynn Adelman
United States District Court, Eastern District of Wisconsin
United States Courthouse Room 364
517 East Wisconsin Avenue
Milwaukee, Wisconsin 53202

Re: Estate of Ryan Clark v. Green Lake County, et al.
Case No. 14-cv-1402-LA
Plaintiff's Motion to Disqualify

Dear Judge Adelman:

On June 5, 2019, the Plaintiff efiled a motion, with supporting brief and declaration, to disqualify Huesch Blackwell from representing both Defendant Walker and Defendant Green Lake County on the basis of conflict of interest.

(ECF #'s 209-211)

Eastern District Local Rule 7 (b) requires a non-moving party to respond to a motion within 21 days of service of that motion. L.R.7 (d) provides that

failure to respond within that time period is “sufficient cause for the Court to grant the motion.”. Consequently, any documents that would have been submitted in opposition to that motion were required to have been filed on or before June 26, 2018. To date, some twelve days after the deadline, no response has been filed.

Therefore, I request that the Court immediately grant the motion as unopposed.

The Defendants have been entirely non-responsive on this issue. As I noted in my supporting declaration (ECF # 211), I first alerted defense counsel to our concerns about conflict of interest last January, and before filing the motion to disqualify, I waited for months to hear that they had addressed the issue on their own. I never heard back. This pattern of avoidance cannot continue.

We are at a critical final stage of pretrial proceedings. The “do-over” Rule 30 depositions of County representatives that the Court ordered on January 23, 2019, are scheduled for July 17 and 19. Motions in limine and Rule 26 pre-trial submissions are due on August 5, and the final pretrial conference is scheduled for August 26, 2019. Trial is scheduled for September 30, 2019.

We can only hope to maintain this schedule if additional counsel for one of the Defendants is brought onboard immediately. Therefore, we request the Court act without delay.

Sincerely yours,
THE JEFF SCOTT OLSON LAW FIRM, S. C.

/s/ Jeff Scott Olson

Jeff Scott Olson

JSO:sfc

cc (via ECF only): Attorney Timothy H. Posnanski
Attorney Andrew J. Roth